

AN ORDINANCE  
BY

01-0-0338

**AN ORDINANCE AUTHORIZING THE MAYOR TO  
EXECUTE A FRANCHISE AGREEMENT WITH  
FIBERWORKS, INC., A GEORGIA CORPORATION, FOR  
THE PROVISION OF TELECOMMUNICATIONS  
SERVICES USING PUBLIC RIGHT-OF-WAY; AND FOR  
OTHER PURPOSES**

**WHEREAS**, Fiberworks, Inc., has applied for a franchise to provide telecommunications services on, under, over and through the public right-of-way of the City; and

**WHEREAS**, Fiberworks, Inc., has negotiated a franchise agreement with the City which provides such access and preserves the rights of the City until such time as a comprehensive ordinance is enacted;

**NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF ATLANTA GEORGIA  
HEREBY ORDAINS:**

**SECTION 1:** That the Mayor be and is hereby authorized to execute a franchise agreement with Fiberworks, Inc., for use of the public right-of-way for telecommunications purposes.

**SECTION 2:** That such franchise agreement shall expire and terminate on March 31, 2003.

**SECTION 3:** That Fiberworks, Inc., shall pay **3% of gross revenues**.

**SECTION 4:** That the City Attorney shall prepare a franchise agreement document, which shall be approved by the city Attorney as to form.

**SECTION 5:** That said franchise agreement shall not be binding on the City until approved by the Mayor and delivered to Fiberworks, Inc.

OMC – Amendment Incorporated by tcp 3/28/01

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk, CMC

ADOPTED as amended by the Council  
APPROVED by the Mayor

MAR 19, 2001  
MAR 27, 2001

RCS# 2738  
3/19/01  
4:50 PM

Atlanta City Council

Regular Session

MULTIPLE

Telecommunications Services Franchise  
Agreements; Items 1 thru 20  
ADOPT AS AMEND

01-0-0322  
01-0-0323  
01-0-0324  
01-0-0325  
01-0-0326  
01-0-0327  
01-0-0328  
01-0-0329  
01-0-0331  
01-0-0332  
01-0-0333  
01-0-0334  
01-0-0335  
01-0-0336

YEAS: 11  
NAYS: 2  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 1

01-0-0337  
01-0-0338  
01-0-0339  
01-0-0340  
01-0-0341  
01-0-0342

Y McCarty	Y Dorsey	NV Moore	Y Thomas
N Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	N Morris	Y Maddox	B Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE

01-0-0338

(Do Not Write Above This Line)

AN ORDINANCE

BY

*[Signature]*

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A FRANCHISE AGREEMENT WITH FIBERWORKS, INC., A GEORGIA CORPORATION, FOR THE PROVISION OF TELECOMMUNICATIONS SERVICES USING PUBLIC RIGHT-OF-WAY; AND FOR OTHER PURPOSES.

1st Adoption *Final Adoption*  
*& Referred*

ADOPTED BY

MAR 19 2001

COUNCIL

As Amended

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 2/19/01

Referred To: City Utilities

Date Referred 3/5/01

Referred To: City Utilities

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred to \_\_\_\_\_

Committee *Capital Projects*  
Date *2-27-01*  
Chair *Clare Muller*  
Action: \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other: *157*  
Members *[Signatures]*  
Refer To \_\_\_\_\_

Committee *City Utilities*  
Date *3-13-01*  
Chair *Clare Muller*  
Action: \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other: *310 Regular Final Adoption*  
Members *[Signatures]*  
Refer To \_\_\_\_\_

FINAL COUNCIL ACTION  
☒ 2nd ☐ 1st & 2nd ☒ 3rd  
Readings  
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED  
MAR 19 2001  
AT THE CITY COUNCIL MEETING

CERTIFIED  
MAR 19 2001  
AT THE CITY COUNCIL MEETING

MAYOR'S ACTION

APPROVED  
MAR 27 2001  
MAYOR *[Signature]*